



South Florida Water Management District

MINUTES GOVERNING BOARD WORKSHOP

February 13, 2008

1:00 PM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members Present:

Michael Collins

Charles Dauray

Shannon Estenoz

Nicolás Gutiérrez, Vice-Chair

Melissa Meeker

Patrick Rooney

Members Absent:

Eric Buermann, Chair

Harkley Thornton

Malcolm Wade

1. **Call to Order** - Eric Buermann, Chairman, Governing Board

Vice Chair Gutiérrez called the meeting to order at 1:05 pm.

2. **Pledge of Allegiance** - Eric Buermann, Chairman, Governing Board

Mr. Dauray lead the group in the Pledge of Allegiance.

3. **Approval of Minutes from the last month's Governing Board Meeting**

Approval of January 8, 2008, Governing Board meeting minutes held in Miami, Florida.

Motion made by Melissa Meeker, seconded by Patrick Rooney to Approve the following item(s): 3

Vote called. Voting yes: Melissa Meeker, Patrick Rooney, Michael Collins, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez. Motion passed.

4. **Agenda Addendum for Workshop** - Annette Carter, Director, Office of Governing Board and Executive Services

Annette Carter, Director, Office of Governing Board and Executive Services announced there were no changes to the agenda.

5. Abstentions by Board Members from items on the Workshop Agenda

There were no abstentions by Board members on the Workshop Agenda.

6. Project and Lands Committee Report - Shannon Estenoz, Vice Chair

Shannon Estenoz provided an oral report on the Project and Lands Committee meeting which was held on January 31, 2008.

Ruth Clements, Director, Land Acquisition and Land Management Department, provided information on potential surplus properties.

Mr. Collins reported on the land tracts in Miami-Dade County.

Public Comment: Jacquie Weisblum, Audubon, requested the Board refrain from surplusing land with significant ecological values.

Motion made by Melissa Meeker, seconded by Patrick Rooney to Approve the following item(s): 6

Vote called. Voting yes: Melissa Meeker, Patrick Rooney, Michael Collins, Charles Dauray, Shannon Estenoz, Nicolás Gutiérrez. Motion passed.

7. Water Resource Advisory Commission Report - Michael Collins, Chair

Michael Collins provided an oral report on the Water Resource Advisory Commission meeting that was held on February 7, 2008. Mr. Collins reported on the WRAC action items. Mr. Collins also reported on the Lake Okeechobee Committee meeting which was held on January 30, 2008.

Mr. Collins asked the Board to formally accept the WRAC report.

Motion made by Shannon Estenoz, seconded by Melissa Meeker to Approve the following item(s): 7

Vote called. Voting yes: Shannon Estenoz, Melissa Meeker, Michael Collins, Charles Dauray, Nicolás Gutiérrez, Patrick Rooney. Motion passed.

8. Human Resources and Outreach Committee Report - Nicolas Gutierrez, Chair

Nicolás Gutiérrez provided an oral report on the Human Resources and Outreach Committee meeting which was held on February 13, 2008.

Water Resources

9. FY2009 Water Savings Incentive Grant Program and Process - Marjorie Craig, Director, Water Supply Department

Marjorie Craig, Director, Water Supply Department, presented information on FY09 Water Savings Incentive Grant Program and process.

Ms. Craig reported on the funding allocated for the Water SIP Program, the projects funded, and the current project support guidelines.

Ms. Estenoz asked about the criteria of projects in the WaterSIP program.

Mark Elsner reported on the Century Village project.

Ms. Meeker provided comment on xeriscaping and irrigation systems.

Ms. Craig reported on the WaterSIP Project Selection Committee which includes five members (three Water Supply staff and two Governing Board member appointees).

Vice Chair Gutiérrez announced the Governing Board appointees to the WaterSIP selection Committee:

Randy Brown, City of Pompano and Jacquie Weisblum, Audubon of Florida.

10. FY2009 Alternative Water Supply Funding Program and Process - Mark Elsner, Director, Implementation Division

Mark Elsner, Implementation Division Director, provided a summary on the Alternative Water Supply Program, the statutory definition of alternative water supply and the Governing Board requirements. Mr. Elsner also provided the cost-share funding guidelines for the program.

Mr. Elsner reported June 2, 2008 is the application deadline. The list of projects will be brought to the Board in September 2008.

Ms. Meeker suggested partnering with local utility companies on outreach, alternative water supplies and water conservation.

Jose Luis Rodriquez reported on public outreach with service centers and local entities.

Ms. Estenoz addressed staff on customer outreach through the utility companies.

Ms. Craig said most utility companies do not have the capabilities to provide outreach on their customer information systems.

11. Status Update on Applied Research Projects Supporting District Activities - Dean Powell, Director, Watershed Management Department

Dean Powell, Director, Watershed Management Department, presented a status update on the research projects supporting District activities. Mr. Powell reported on research of the restoration of the Kissimmee River, phosphorus removal in Lake Okeechobee, high lake stages of submerged aquatic vegetation, exotic species control, and natural disturbances to the Lake. Mr. Powell also reported on the research projects for the St. Lucie and Caloosahatchee estuaries.

Mr. Powell reported on the research projects for the STAs, and the effects of nutrients in the ecosystem.

Ms. Estenoz asked about the ground service of the STAs.

Mr. Powell provided additional information on the ground service of the STAs.

Mr. Powell reported on the STAs research budget.

Mr. Powell reported on the decline of tree islands since the 1940s and water management affecting Florida Bay. Mr. Powell reported on the sea grasses and algal blooms in Florida Bay.

Mr. Collins provided comment on increasing salinities in the Bay.

Mr. Dauray asked about the loss of tree islands due to invasive species or water levels.

Fred Sklar, Director, Everglades Division, provided comment on the invasive species and the tree islands.

Ms. Meeker recognized the staff who participated in the research studies.

Mr. Collins thanked staff for their hard work with the research projects.

12. Update on the Hydromentia Algal Turf Scrubber Nutrient Removal Project - Mark Zivojnovich, Vice President, Hydromentia, Inc.

Mark Zivojnovich, Vice President, Hydromentia, provided an update on the Hydromentia Algal Turf Scrubber. Mr. Zivojnovich reported on the S154 pilot project, Taylor Creek algal turf scrubber treatment system, costs of the project and the biomass recovery of the algae removal.

Ms. Estenoz asked about volume of water per surface area for the treatment of phosphorus.

Mr. Zivojnovich provided additional information per aerial removal rate.

Mr. Collins provided comment on the question of scale for nutrient removal.

Mr. Gutiérrez provided comment on the effectiveness and funding for the project.

Ms. Estenoz provided comment about the main goal needed for phosphorus removal.

Public Comment: John Marshall, Arthur Marshall Foundation, commented on the cost effectiveness of phosphorus removal.

Mr. Merriam said they will bring research updates annually to the Board.

Everglades Restoration Resources

13. Everglades Restoration Update - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resources, and Tom Teets, Program Implementation Manager, Everglades Restoration

Tommy Strowd, Assistant Executive Director, Everglades Restoration, provided an update on the EAA A1 Reservoir Construction contract. He reported on the Southern CREW project and the Northern Everglades Initiatives.

Mr. Strowd reported on status of the C-111 Spreader canal.

Executive Office

14. Overview of Chapter 373, Florida Statutes - Continued. Environmental Resource Permitting, The Environmental Criteria - Susan Martin, Sr. Specialist Attorney, Office of Counsel

Susan Martin, Sr. Specialist Attorney, presented information on Chapter 373, Part IV, Environmental Resource Permitting.

Mr. Dauray requested a binder and glossary of terms incorporating all the presentations on Chapter 373.

Ms. Estenoz asked about case law and policy guidance for the public interest test.

Ms. Martin provided additional information regarding the public interest test.

Executive Office

15. CLOSED DOOR AGENDA

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al. United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al. United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Sheryl G. Wood, Ext. 6976)

Vice Chair Gutiérrez adjourned to Closed Door Session at 4:00 pm. He reported they would reconvene in approximately 60 minutes.

Ms. Meeker reconvened the meeting at 4:55 pm.

Sheryl Wood, General Counsel, reported no action be taken.

16. Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

This item was postponed.

17. Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. (Sheryl G. Wood, Ext. 6976)

This item was postponed.

18. Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Teitelbaum, et al., v. South Florida Water Management District, Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 04-21282 CA 15. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Teitelbaum, et al., v. South Florida Water Management District, Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 04-21282 CA 15. (Sheryl G. Wood, Ext. 6976)

Sheryl Wood, General Counsel, reported no action be taken.

19. Adjourn

Ms. Meeker adjourned the meeting at 4:56 pm.

Melissa Meeker
Governing Board Member
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD